

September 4, 1958

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CONCORD, N.H.

Mr. Walter P. Buczynski
Chief of Police
Tilton, New Hampshire
and
Acting Chief of Police
Northfield, New Hampshire

Dear Chief Buczynski:

During the course of a conference in this office this morning you made certain inquiries relative to the jurisdiction of the Tilton Municipal Court.

Your first inquiry was whether or not the Tilton Municipal Court has jurisdiction of crimes and offenses committed within the confines of the Town of Northfield, New Hampshire. Since the Town of Northfield is located in the County of Merrimack while the Town of Tilton is located in the County of Rockingham, our answer to your first inquiry is in the negative. We refer you to Revised Statutes Annotated, Chapter 502, section 18, which provides as follows:

"Criminal Cases, Municipal Courts. Municipal courts shall have the powers of a justice of the peace and quorum throughout the state, and shall have original jurisdiction, subject to appeal, of all crimes and offenses committed within the confines of the city or town wherein such courts are located, or within any town in the same county which has no municipal court, or within any city or town in the same county in which vacancies exist in the offices of justice and special justice of the municipal court, which are punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both." (Emphasis added)

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You have also inquired whether or not the Justice of Tilton Municipal Court, in his capacity as a Justice of the Peace, has jurisdiction of crimes and offenses committed within the confines of the Town of Northfield, New Hampshire.

By virtue of Chapter 244 of the Laws of 1957, which now appears as Chapter 501a of New Hampshire Revised Statutes Annotated, the New Hampshire Legislature abolished both the criminal and civil jurisdictions of Justices of the Peace. Accordingly, our answer to the second inquiry is also in the negative.

In brief, the criminal jurisdiction of the Justice of the Tilton Municipal Court is limited to crimes and offenses committed within the confines of the Town of Tilton, or within any town in Belknap County which has no Municipal Court, or within any city or town in Belknap County in which vacancies exist in the offices of justice and special justice of the Municipal Court which are punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both.

Very truly yours,

George T. Ray, Jr.
Assistant Attorney General

GTR:w